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4 OYSTER OPTICS, LLC,  
5 Plaintiff,  
6 v.  
7 CIENA CORPORATION,  
8 Defendant.

9 Case No. 17-cv-05920-JSW  
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**ORDER TO SHOW CAUSE WHY  
OYSTER-FUJITSU SETTLEMENT  
AGREEMENT SHOULD BE FILED  
UNDER SEAL IN ITS ENTIRETY AND  
INSTRUCTIONS TO PARTIES**

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13 In addition to the motions for summary judgment and motions to exclude expert testimony,  
14 the parties have filed motions to seal portions of those briefs and exhibits in support of their  
15 positions.

16 One of those exhibits is a settlement agreement between Oyster Optics LLC and Fujitsu  
17 Ltd. and Fujitsu Network Communications (the “OFA”). (Dkt. No. 177-54.) Oyster is  
18 ORDERED TO SHOW CAUSE why that exhibit should remain under seal in its entirety. *See*  
19 *Oyster Optics, LLC v. Coriant Am., Inc.*, No. 16-cv-01302-RJG, 2018 U.S. Dist. LEXIS 236708,  
20 at \*5-\*9 (E.D. Tex. Dec. 4, 2018).

21 The Court FURTHER ORDERS the parties to meet and confer regarding all pending  
22 motions to seal. To assist the Court in determining what portions of its order resolving pending  
23 motions can be publicly filed, if there are exhibits that have been filed under seal in their entirety  
24 that can be redacted, the parties shall file a joint statement, which includes a chart that sets forth  
25 those exhibits, their docket number, and the portions of the exhibit that can be publicly filed.

26 The Court intends to issue its ruling on the motions to seal when it issues its Order  
27 resolving the motions for summary judgment and *Daubert* motions.

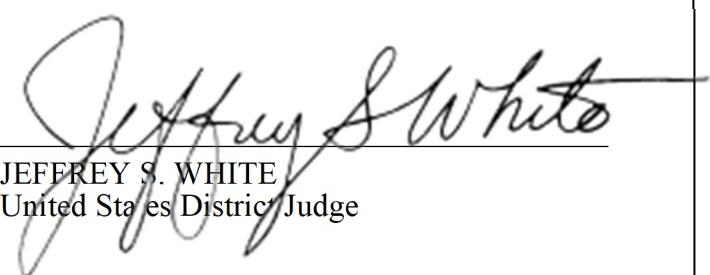
28 Oyster shall files its response to this Order to Show Cause and the parties shall file their

1 joint statement by no later than April 17, 2023.

2 **IT IS SO ORDERED.**

3 Dated: April 3, 2023

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JEFFREY S. WHITE  
United States District Judge